

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICKEY J. EAGLE,

Plaintiff,

vs.

Case No. 06-CV-11705
HON. GEORGE CARAM STEEH

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER ACCEPTING REPORT AND RECOMMENDATION (#19);
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (# 14);
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (# 9); AND
DISMISSING PLAINTIFF'S CLAIMS

This matter is before the court on the parties' cross-motions for summary judgment as to plaintiff Rickey Eagle's claim for judicial review of defendant Commissioner of Social Security's denial of his January 6, 2003 application for disability insurance benefits. The matter was referred to Magistrate Judge Steven Pepe. On December 28, 2006, Magistrate Judge Pepe issued a 19-page Report and Recommendation recommending that defendant's motion for summary judgment be granted, that plaintiff's motion for summary judgment be denied, and that judgment enter in favor of defendant Commissioner. Plaintiff has not filed timely objections to the Report and Recommendation. See 28 U.S.C. § 636(b)(1); E.D. Mich. L.R. 72.1(d)(2).

Having reviewed the record and Report and Recommendation, and in the absence of timely objections, the court hereby ACCEPTS Magistrate Judge Pepe's well reasoned December 28, 2006 Report and Recommendation as its own. Plaintiff's motion for

summary judgment is hereby DENIED. Defendant's motion for summary judgment is hereby GRANTED. Plaintiff Rickey Eagle's claim is hereby DISMISSED with prejudice.

SO ORDERED.

Dated: January 23, 2007

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
January 23, 2007, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk